

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
R&A Food Services, L.P	Abriel, Jason minor by & through his mother Julie Abriel v. BCI, R&A, Geoffrey Chong and Dorothy Chong (landlord)	Circuit Court 17 th Judicial Circuit Broward County	97-003980	3/13/97	Slip and fall, bodily injury	Gary Esler Esler, Petree & Lindie PO Box 14364 Ft Lauderdale FL 33301 954/764-5400 954/764-5408 fax	Motion to Stay granted 3/17/99 Motion to continue granted. Expect trial date in Jan/Feb 99 BCI removed via Sum. Judge. 12/9/97	
R& A Food Services, L.P. Boston Chicken, Inc	Aleman, Wesley, a minor, by and through his mother and legal guardian, Tamara Wilford v. R&A Food Services, Inc dba Boston Market and Boston Chicken, Inc. dba Boston Market Second amended complaint sued R&A Food Service, L.P.	Circuit Court of the 11 th Judicial District Dade County FL	99-13708 CA-5	6/8/99	Negligence resulting in bodily injury (child pulled table over on self)	Craig Brams Jack, Wyatt, Tolbert, Thomps on 2600 Maitland Center Pwky, Ste 170 Maitland FL 32751 407/660-1818 407/660-2442 fax	Sugg of Bank filed on 2nd . Suit will be amended to correctly name R&A, LP Sugg of Bank filed for BCI 6/23/99. Suit recd 6/14/99	Wausau – Grant Gibbons
BC Great Lakes	Allegretti, Mary				Coffee burn, bodily injury	Mark Conrad Aronsen & Cross 233 S. Wacker Drive, Ste 1950 Chicago IL 60606 312/715-5513 312/715-5530 fax	Discovery ongoing. Affidavit to MLou to have BC Great Lakes removed.	
BC Great Lakes, LLC	Arch, Lauren v. BC Great Lakes, LLC dba BM Restaurant, Store No. 419	Circuit Court of the 18 th Judicial Circuit County of DuPage	98SC 5192	9/28/98	Bodily injury	Anthony Fanone Grant, Gentry & Cozzi 1341 Opus Place, Suite 100-A Downers Grove IL 60515 630/719-2886 630/719-0771 fax	Stay lifted 8/13/99. Motion for Stay heard 11/12/98, suit. Approved thru 3/25/99. Suit recd 10/6/98. Sent to Wausau.	Wausau – Amber Dudeck
Mid-Atlantic Restaurant Systems	Armstrong, David Jr. v. Mid-Atlantic Restaurant Systems, Inc. d/b/a Doylestown Boston Market	Court of Common Pleas Buck County PA	97008436-14-2	11/19/97	Alleged food borne illness	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Settled 8/18/98 for \$6K, \$3K us, \$3K Hudson. Order to Settle/Release recd 9/12/98	
BC New York, LLC	Bailey, Susan v. BC New York, LLC dba Boston Market	State of CT Superior Court	None	6/22/98	Bodily injury	Ken Mulvey Mulvey, Oliver, Gould & Riccio 83 Trumbull Street New Haven CT 06511	Motion to Stay filed, hearing on Motion 11/9/98. Discovery ongoing	

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						203/624-5111 203/548-0006 fax		
Mid-Atlantic Restaurant Systems, Inc Boston Chicken, Inc.	Barnett, Gary v. Franklin Mills Mall and Boston Chicken, Inc.	Court of Common Pleas of Philadelphia County	002695	5/20/99	Negligence resulting in bodily injury (S/F)	Joseph Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Demand to indemnify recd from LL Sugg of Bankr filed 6/17/99 Suit recd 6/7/99. 1 st notice	Wausau – Kathy Miesch
BC Great Lakes, LLC	Baumgardner, Robert v. Boston Food Market d/b/a Boston Market; Golf Plaza II Partners, TK Partners VI and Host Marriott Corp.	Circuit Court of Cook County	98L00988	1/26/98	Slip and fall, bodily injury	Anthony Fanone Law Offices of Mark Rudoff 1431 Opus Place, Suite 100 Downers Grove IL 60515 630/719-2888 630/719-0771 fax	Matter placed on bankruptcy calendar 12/28/98. Req. motion to amend to include BC Great Lakes Discovery ongoing Tender from Marriott 2/18/98. Complaint amended 1/13/97	
Boston Chicken, Inc. BC New York, L.L.C	Beck, Lorraine v Boston Chicken, Inc. and BC New York, L.L.C.	Supreme Court of the State of New York County of Kings	161581/99	5/11/99	Negligence resulting in bodily injury (S/F)	Steve Goldstein Feder, Goldstein, Tanenbaum, D'Errico & Arnedos 222 Old Country Rd Mineola NY 11501 516/873-0011 516/873-0120 fax	A/A notified of bankr. 8/2/99 Answer filed 6/2/99 Suit recd 5/20/99	Wausau – Jennifer Sweet
Mid-Atlantic Restaurant Systems, L.P. New Jersey Rose, LLC Boston Chicken, Inc.	Berger, Linda & Erich v. New Jersey Rose, LLC, BCI, MARS, LP, John Does 1-10	Superior Court of NJ Mercer County	MER-L-1939-97	5/21/97	Bodily injury	Michael Furda Mondelli & Carbone 700 E. Gate Drive, Suite 220 Mt Laurel NJ 08054 609/866-2888 609/866-8787 fax	Stay lifted 6/18/99 Request to court to stay litigation filed 10/7/98 Discovery ongoing	FFIC – Gary Opas
BC New York	Birnbach, Sandra & Curtis v. Boston Market Chicken	Superior Court of NY County of Westchester	19523-96	11/25/96	Slip and fall, bodily injury	Thomas O'Malley Peltz & Walker 222 Broadway New York, NY 10038 212/349-6775	Court to be notified. A/A has indicated will fight to lift Stay Trial scheduled for 5/99. Discovery ongoing	
R&A Food Services, L.P. R&A Food Services, Inc.	Birrane, Paula v. Boston Market n/k/a R&A Food Services, Inc.	Circuit Court of the 11th Judicial Circuit Dade County FL	99-08169 CA21	4/1/99	Alleged FBI	Craig Brams Jack, Wyatt, Tolbert & Turner 2600 Maitland Center Pkwy, Ste 170 Maitland FL 32794-8600 407/660-1818	Suit recd 4/9/99	Wausau

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BC Great Lakes	Blackwell, Robert v. BC Great Lakes and Ramco Greken	Municipal Court of Toledo			Property damage to pltf vehicle	407/660-2442 fax Ted Mohler Law Offices of David W. Doerner 4159 N. Holland-Sylvania Rd, Ste 206 Toledo OH 43623-4801 419/885-8312 419/885-7619 fax	Release papers recd. Case closed Clmt filed for vol. Dismissal.	
Mid-Atlantic Restaurant Systems, LP	Blocker, Marian v. Boston Market and Boston Chicken, Inc.	Court of Common Pleas Philadelphia County	002197	8/12/98	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed Order to dismiss trial filed 9/11/98. Will pursue binding arbitration instead. Stip to amend complaint to pltf atty	Wausau – Richard Caruana
P&L Food Services	Booker, Sharon	Shaker Heights Municipal Court Cuyahoga County	98-CVE-01568	9/28/98	Alleged food borne illness (Hudson recall)	Laurie Avery Reminger & Reminger 113th St., Clair Bldg, 7th Floor Cleveland, OH 44114 216/687-1311 216/687-1841 fax	Motion to Stay filed 12/20/98 Change in D/C due to Wausau no longer being affiliated w/ Nationwide	
BC Great Lakes	Bouzeid, Abdul v. Boston Market	State of MI 3 rd Judicial Circuit County of Wayne	97-722613 NP	7/22/97	Alleged food borne illness	Simon Orłowsky Secrest Wardle 810/465-7180	Placed on inactive list 1/27/99 Pltf awarded \$12,500 at mediation. Pltf has appealed award. Awaiting trial date	FFIC – Ann Conroy
BC New York, LLC Boston Chicken, Inc.	Boykins, Karen v. Boston Chicken, BM and Edison Center Associates et al	Superior Court of NJ Middlesex County	L-11240-97	11/17/97	Slip and fall, bodily injury	Glen Montgomery Pollack, Montgomery and Chapin 2460 Lamington Rd Bedminster NJ 07921 908/234-0330 908/234-0709 fax	Court notified of Stay 11/3/98 Discovery ongoing. BC NY LLC joined 4/1/98	
Boston Chicken, Inc. (representing LL)	Brower, Kathleen, parent of Eric Currier and Kathleen Brower individually v USRP, LLC c/o Burke and Nichel	State of NY Supreme Court County of Saratoga	99281	2/8/99	Violation of Labor Codes resulting in bodily injury (employee fell off ladder after shoveling roof)	Bill Greagan Carter, Conboy, Case, Blackmore, Napierski & Maloney 20 Corporate Woods Blvd Albany NY 12211-2350 518/465-3484 518/465-1843	Answer on behalf of LL filed 5/11/99 Suit recd 3/4/99	Wausau – Andy Campbell
BC Heartland	Browers, Michelle v. BCI and CCPL Real	Circuit Court County of Ingham, MI	98-88429	6/2/98	Slip and fall, bodily injury	Timothy Sheridan Harvey Kruse, Westen &	Motion to lift Stay recd from A/A	Wausau – Debbie Wanta

SCHEDULE 4.10
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	Estate Group					Milan 1050 Wilshire Dr, Suite 320 Troy, MI 48084 248/649-7800 248/649-2316 fax	Change in D/C due to Wausau no longer being assoc. w/ Nationwide Notice for Stay of Proceedings filed 10/19/98. Landlord asked us to defend him per lease agreement. Answered as BC Heartland improperly named as BCI	
Boston Chicken, Inc.	Brown, Marin v. BM and BCI	State of TN County of Davidson	98GC13031	7/15/98	Negligence by staff in failing to secure personal prop. Left in store and in employees possession	Tom Donnell	Settled prior to court date for \$538.92. Suit dismissed.	
Mid-Atlantic Restaurant Systems, Inc.	Bruni, Kelley and James v. Boston Chicken d/b/a Boston Market, Boston Market and Boston Market #377	Court of Common Pleas Philadelphia County	001189	12/15/98	Negligence Bodily injury, slip and fall	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	A/A requested lift. Suit recd 12/21/98	Wausau – Ann Mannerberg
Mid-Atlantic Restaurant Systems	Caldwell, Nancy v. Mid-Atlantic Company c/o H.T. Rose, Inc. and BC Real Estate Investments	Court of Common Pleas Montgomery county	96-20707	11/25/96	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Stips to amend caption executed 4/18/97. Case settled for \$41,250 on 8/19/98. Waiting final papers and atty fees.	
BC New York, LLC t/a Boston Chicken a/k/a/ Boston Market	Carmichael, Rita v. Boston Market, John Does, ABC Corp.	Superior Court of NJ Union County	UNN-L-1058-98	2/19/98	Bodily injury	Richard Kuhrt Kuhrt & Femia 40 Parker Rd Elizabeth NJ 07208 908/352-6901 908/352-2131 fax	Settled for \$7,500 on 10/5/98.	
BC Great Lakes	Carpinelli, Paula & Scott v BC Great Lakes dba Boston Market and Boston Market, Inc.	Circuit Court of Cook County, IL	98L06251	5/29/98	Alleged food borne illness	Kurt Olsen Aronsen & Cross 233 S. Wacker Drive, Ste 1950 Chicago IL 60606 312/715-5500 312/715-5530 fax	A/A requesting lift of Stay Case placed on court bankruptcy calendar Discovery ongoing	FFIC-Michael Ray
P&L Food Services, LLC	Casciotti, Angelo B. Jr v. P&L Food Service, LLC, a/k/a P&L Food Services, Inc. and d/b/a	Court of Common Pleas of Allegheny County. PA	AR98-7765	12/14/98	Negligence Bodily injury	James Kennedy Baginski & Bashline One PPG Place, Suite 2910 Pittsburgh PA 15222	Sugg of Bankr filed 1/12/99. Courtesy copy of suit recd 12/21/98	Wausau-Ann Mannerberg

SCHEDULE 4.10

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	Boston Market					412/391-7005 412/391-0568 fax		
Boston Chicken, Inc. R&A Food Services, Inc.	Cate, Lisa v. Boston Chicken, Inc, a FL Corp and R&A Food Services Inc, a FL Corp.	Circuit Court of the 11 th Judicial Circuit, Dade County FL	98-24359	10/26/98	Bodily injury	Dale Friedman Conroy, Simberg & Ganon, P.A. 3440 Hollywood Blvd., 2nd Floor Hollywood, FL 33021 954/985-0052 954/967-8577 fax	Motion to Stay to be heard 1/6/99. Motion corrected re: retention Motion to Stay filed 12/4/98 (incorrect, stated self insured retention, will amend)	Wausau
BC Great Lakes, LLC	Clarke, Christopher v. BCI dba BM and Richard Tasman	Circuit Court of MI County of Wayne	98-814054	5/5/98	Slip and fall, bodily injury	Ray Beresh Beresh, Prokopp & Sekerak One Towne Square, Number 470 Southfield MI 48076 248/223-0120 248/945-0014 fax	Change in D/C due to Wausau not being affiliated w/ Wausau any longer Order approving Stay recd 11/11/98 Tasman and BCI dismissed. BC Great Lakes def. Discovery ongoing	
R&A Food Services, L.P.	Colon, Marilyn v R&A Food Services, L.P.	Circuit Court of the 11th Judicial Circuit Miami Dade County, FL	99-00870 CA32	1/14/99	Negligence Breach of Warranty Bodily injury (dental)	Craig Brams Jack Hyatt, Tolbert & Thompson 2600 Maitland Center Pkwy, Ste 170 Maitland FL 32751 407/660-1818 407/660-2442 fax	Notice of Bankr. Filed w/ court 2/8/99 Suit recd 1/25/99	Wausau
BC Tri-States, LLC	Conway, Thomas J. v. Boston Market, Inc., BC Metro, Inc., Robert Anaramo and William Sambuca	Superior Court of New Jersey Bergen County	L-7078-98	7/30/98	Wrongful termination	Joe Breyemeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed w/ court 12/21/98 Coverage denial letter from Wausau recd 12/31/98. Suit recd 11/16/98.	None
Boston West	Corrales, Frank v. Boston Market and Does 1-10	Municipal Court of CA Orange County	97H03311	7/2/97	Fell, bodily injury	None, adjuster handled on stips	Settled for \$15K 2/9/98. Subrogation against contractor	
P&L Food Services, Inc	Courier Express Inc. v. Edward Lopes Sr and BM				Property damage caused by employee driving own vehicle	John Donaher Rubinate, Jacobs and Saha 35 N. Main St. Grunburg PA 15601 724/837-8484	Pltf atty no showed hearing. Order in favor of def. No appeal filed.	
BC New York Boston Chicken, Inc.	Crish, Phyllis v. Joseph George, Thomas George, Janice Basco,	Superior Court of NY County of Queens	16075/97 4181/98 (def.	7/3/97 2/24/98	Slip and fall, bodily injury	Ross Massler Ebstein, Hill, Gramatuco and Gann	Discovery ongoing. Defending interest of landlord per lease	

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	R.R. Metropolitan/Eliot Inc. and Boston Chicken, Inc. d/b/a Boston Market Restaurant		just BC NY LLC)			200 Old Country Rd, Ste 275 Mineola NY 11501 516/294-4000 516/294-9258 fax	agreement	
Mid-Atlantic Restaurant Systems, Inc.	Cronce, Sara v. Boston Chicken t/a Boston Market and Boston Market	Court of Common Pleas Philadelphia County	000175	8/3/98	Bodily injury, slip and fall Negligence	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suit recd 11/12/98. Default served, store apparently served 8/20/98. Sugg of Bankr to be filed shortly.	Wausau – John Betar
Boston West, LLC	Davis, Nicholas v. Thomas McFall, Boston West, LLC and Does 1-20	Orange County Superior Court	794436	5/18/98	Slander and Intentional infliction of Emotional Distress	Chris Wesierski/Don McFarland Wesierski and Zurek 5 Park Plaza, Ste 1500 Irvine CA 92614 714/975-1000 714/756-0517 fax	11/19-Wausau maintaining denial under employee relations exclusion. Wausau has denied coverage. Disputing.	
Boston Chicken, Inc.	D'Angelo, Anthony v. Boston Chicken, Inc. and Boston Market Co.	State of North Carolina Mecklenburg County Small Claims Court	99 CVM	3/11/99	Bodily inj from FO (screw in soup)	John Barringer Morris York 704/375-4480	Clmt voluntarily dismissed w/o prejudice at hearing 4/12/99 Store served 3/15/99	Wausau – Paul Welch
Mid-Atlantic Restaurant Systems	DeNofio, Antonio v. Boston Market, Inc. t/a Boston Market Restaurant and John Does 1-25	Superior Court NJ Camden County	L 07341 97	9/22/97	Alleged food borne illness	Eileen Strulsen Mondelli & Carbone 700 E. Gate Drive, Suite 220 Mt Laurel NJ 08054 609/866-2888 609/866-8787 fax	Request to court to stay litigation filed 10/8/98 Arbitration scheduled for 10/21/98	
Platinum Rotisserie, LLC	Dickerson, Cheryl v. Platinum Rotisserie, LLC d/b/a Boston Market Restaurant	General Court of Justice, NC Wilson County	97-CVD-2276	12/5/97	Trip and fall, bodily injury	Coleman Cowan Womble, Carlyle Law Firm PO Box 831 Raleigh NC 27601 919/755-2100	Trying to settle out of court	
Mid-Atlantic Restaurant Systems, Inc.	Dobson, Joseph v. Gus & Fiola Tsionas (LL), Premier Builders (GC) and Premier Builders, Inc. (successor to Premier) (MARS defending LL per lease)	Superior Court – Delaware New Castle County	99C-09-102 JEB	9/10/99	Employee of BM, injured on defective stair	Not yet assigned	Suit recd 10/11/99	Wausau
Boston Chicken, Inc. BC New York,	Durnan, Mary v. Boston Chicken	Civil Court of the City of New York Small Claims Part	SCQ 8380/1999	9/17/99	Personal injury (metal in coleslaw)	Steve Goldstein Feder, Goldstein, Tanenbaum, D'Errico &	Case discontinued at hearing. Do not believe clmt will reopen.	Wausau – Kathy Miesch

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LLC						Arnesdos 222 Old Country Rd Mineola NY 11501 516/873-0011	Suit recd 10/18/99 Hearing 10/28/99	
Mid-Atlantic Restaurant Systems, Inc.	Eisenberg, Belle & David v Boston Market Restaurant, ABC Company 1-5, XYZ Company 1-5, Richard Roe 1-5 and PDQ Company 1-5	Superior Court of New Jersey Monmouth County	MON-L-5622-98	3/18/99	Negligence resulting in bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 4/27/99 Suit recd 3/30/99	Wausau – Andy Campbell
Mid-Atlantic Restaurant Systems, Inc.	Ellison, Ruth E. v. Mid-Atlantic Restaurant Systems, Inc. i/d/b/a/ Boston Market, L.S. of Cynwyd, L.P. and John Does 1-100, ABC Company, Inc.	Superior Court of New Jersey Burlington County	BUR-L-02332-99	8/13/99	Negligence resulting in bodily injury (T/F)	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 9/7/99 Suit recd 8/23/99	Wausau-Andy Campbell
BC New York, LLC	Ellwanger, Sigrid v. BM	Supreme Court of NY County of Queens	422/97	1/5/98 default 8/10/98	Slip and fall, bodily injury	Paul Hennings Law Offices of Ted Tobias 538 Broadhollow Rd Melville NY 11747 516/756-6275 516/756-6288	Order of default vacated 7/19/99 Notified court of filing 11/5/98 Default motion adjourned 10/7/98.	FFIC
BC New York, LLC	Fairchild, Carol Ann v. BC New York LLC, Samuel Roberts and Alida Kleban (landlords)	Superior Court Judicial Dist of Fairfield at Bridgeport, CT	None	7/7/98	Bodily injury	John Papa Howard, Kohn, Sprague & FitzGerald 237 Buckingham St Hartford, CT 06126-1798 860/525-3101 860/247-4201 fax	Stay lifted 10/4/99 Motion to Stay to be filed 1/25/99. Change in D/C due to not being affiliated w/ Wausau any longer Defending landlord per lease agreement.	Wausau – Andy Campbell
BC New York, LLC	Falletty, Inez v. BC New York, LLC	Supreme Court, State of NY County of Queens	024562/98	11/10/98	Negligence Bodily injury	Not yet assigned	Recd suit 12/2/98.	FFIC
Boston Chicken, Inc	Fazio, Mark v. Boston Chicken, Inc. dba Boston Market, Dayton Construction Inc., and Broadway Mall Properties, Inc.	Superior Court of NY Suffolk county	97-17830	7/22/97	Bodily injury	Not yet assigned Adj. Handling until Stay lifted. We are not correct defendant	Default entered against BCI, never notified. Sent to Atlantic Foods carrier. Not proper service against Atlantic, so will not answer, statutes run. Sent to CNA to cover BCI interests	CNA-Colin Hutchinson
Mid-Atlantic Restaurant Systems, Inc.	Fennen, Marguerite v. Judy Brahlin, Executrix for the Estate of Leon	Superior Court of New Jersey Law Division/Atlantic	ATL-L-2288-97	10/22/97	Negligence in maintenance. Bodily injury	Eileen Strulson Mondelli and Carbone 700 E. Gate Dr., Suite 220	Defending LL.	

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	Freeman, deceased; Estate of Leon Freeman, deceased; Commercial Consultants, Inc., Gridco Associates, Inc., t/a John L. Walker, A.I.A, John Does I-V, ABC Corporation and XYZ Partnership	County			(defending LL per lease agreement)	Mt. Laurel NJ 08054 619/866-2888 619/866-8787 fax		
BC Great Lakes, L.L.C.	Ferraris, Debbie v. BC Chicago Inc; Procut Landscaping / JNS Snowplowing and BC Real Estate Investments, Inc.	Circuit Court Cook County	97L11070	11/10/97	Slip and fall, bodily injury	William Cross Aronsen & Cross 233 S. Wacker Dr., Suite 1950 Chicago IL 60606 312/715-5500 312/715-5530 fax	Case placed on court bankruptcy calendar Discovery ongoing	
Mid-Atlantic Restaurant Systems, L.P.	Firth, Dr. William & Rose v. BCI t/d/b/a/ Boston Market and Boston Market, Inc.	Court of Common Pleas Buck County	97-006673-22-2	9/12/97	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of bankruptcy filed with court 10/22/98. Discovery ongoing Stip to amend BCI to MARS filed 10/20/97. MARS defending BCRI	
Mid-Atlantic Restaurant Systems	Fisher, Laura v. Boston Market, Inc.	Court of Common Pleas County of Philadelphia	001465	5/14/98	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of Bankruptcy filed w. court 10/20/98. Stip to amend filed 8/13/98 Discovery ongoing	Wausau – Andy Campbell
Mid-Atlantic Restaurant Systems, Inc.	Fishley, Shannon, a minor, by her parent and natural guardian, Marla Madison, and Marla Madison in her own right v. Boston Market Restaurant Store No. 392	Commonwealth of PA Philadelphia Municipal Court	9905-4	5/4/99	Negligence resulting in bodily injury (S/F)	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	W/drawn w/o prejudice per Court's request 6/22/99. Can refile when Stay lifted. Suit recd 5/20/99	Wausau – Kathy Miesch
R&A Foods Services, L.P. Boston Chicken, Inc.	Fleishner, Kenneth v. Boston Chicken, Inc. and R&A Food Services, Inc	Circuit Court of the 15 th Judicial Circuit Court and for Palm Beach County FL	CL-99-8812AR	9/13/99	Negligence resulting in bodily injury (alleged FBI)	Not yet assigned	Suit recd 9/27/99	Wausau
Mid-Atlantic Restaurant Systems, L.P.	Forish, Eveline & Peter v. BCI	Court of Common Pleas Buck County	97-001792-19-2	3/7/97	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt	Suggestion of bankruptcy filed with court 10/22/98. Discovery ongoing. Trying	

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Boston Chicken, Inc.						1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	to get contribution from Hudson. Will join them if necessary. Stip to amend to pltf atty 4/24/97	
Mid-Atlantic Restaurant Systems, L.P.	Fox, Gertrude & Norman v. Salad Works, Inc.; Monquat, Inc. d/b/a Salad Works & BCI d/b/a Boston Market and d/b/a Boston Chicken	Court of Common Please Philadelphia County	3765	7/1/97	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Tendered to landlord. Stipulation to dismiss MARS signed 10/4/98	
Boston Chicken, Inc. Boston West, LLC	Freeland, Bonnie Jean v. Boston Market	Municipal Court of CA, County of San Diego, South Bay Judicial District	Small Claims Case # SC108676	10/19/98	Alleged food borne illness	Not assigned yet	Bankr paperwork presented to Judge at hearing, on inactive status Recd suit 10/23/98	Wausau – Rob Ridnour
Mid-Atlantic Restaurant Systems, L.P.	Freeman, Gary Jr. v. Boston Chicken , Boston Market Mid Atlantic Restaurant Systems, LP; Ruel Crux (ex employee), Mark Llagas, David Devera, John Does 1-10 and ABC Corp. (Motion for Summary Judgement for BCI granted 3/19/99)	Superior Court NJ Camden County	L-0473-97	1/16/97	Bodily injury, wanton, willful disregard of pntf's rights	Eileen Strulsen Mondelli & Carbone 700 E. Gate Drive, Suite 220 Mt Laurel NJ 08054 609/866-2888 609/866-8787 fax	Request to court to stay litigation filed 10/7/98 Trial 10/19/98. Adjournment filed by pltf's counsel. Rescheduled for 1/13/99. FFIC will not cover any punitive damage awards	
Boston Chicken, Inc. P&L Food Services, Inc	Gall, James v. Boston Chicken, Inc and Thorn Apple Valley, Inc.	Court of Common Please Westmoreland County, PA	01564 or 1999	3/8/99	Negligence resulting in bodily injury (bone in ham, broken tooth)	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Thorn Apple will take over defense . Sugg of Bankr filed 4/26/99. Suit recd 3/26/99	Wausau – Kathy Miesch
Mid-Atlantic Restaurant Systems	Gansky, Paula v. BCI	Court of Common Pleas of Delaware County, PA	98-50935	4/21/98	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of bankruptcy filed 10/26/98. Stip to amend to pltf atty 9/13/98 Discovery ongoing.	Wausau – Andy Campbell
Boston West, LLC Boston Chicken, Inc.	Geller, Beth v Boston Chicken, Inc., Boston Market Restaurant and Does 1/15	Los Angeles County Superior Court Northeast District – Pasadena	GC023266	5/19/99	Negligence, Strict Liab., Breach or Warranty resulting in bodily injury (dental injury, FO in	Dan Eskue Law Office of Sherlock, Sinatra & Felchlin 301 N. Lake Ave., Suite	Sugg of Bankr filed 6/16/99 Courtesy copy to Wausau 5/28/99	Wausau – Lana Willis

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
					CPP)	1100 Pasadena CA 91109-7073		
Boston West, LLC	Gelruth, Dan & Marsha v. Boston Markets and Does 1-50	Los Angeles County Superior Court	PC023051	3/8/99	Negligence resulting in bodily injury (elbow inj by door)	Dan Eskue Sherlock, Sinatra & Felchlin 301 N. Lake Ave., Suite 1100 Pasadena CA 91109-7073	Courtesy copy recd 5/28/99, not yet served	Wausau – Lana Willis
Mid-Atlantic Restaurant Systems, L.P.	Gerace, Frank v. Boston Market, Boston Chicken, Mid-Atlantic Restaurant Systems, R. Craig Stevenson, et al t/a dba Laurel Hill Gardens and Romano's Auto Service, Inc.	Court of Common Pleas Philadelphia County	2292 and 004010 (pltf atty filed separate complaint to remove Romano's. Have now combined into 2292)	11/18/97 12/29/97	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of Bankruptcy filed w/ court 10/20/98. Discovery ongoing. BC and BM removed voluntarily 1/30/98	
Mid-Atlantic Restaurant Systems	Gibbons, Rita v. BM, Jane Doe, John Doe and Robert Roe	Superior Court of NJ Camden County	L-03546-98	5/1/98	Bodily injury	Bill Powers Cureton, Caplan & Clark 3000 Midatlantic Dr., Ste 101 Mt Laurel NJ 08054 609/727-0500 609/222-4187 fax	Dismissed w/o prejudice 10/22/98 pending Stay being lifted Discovery ongoing Answered for MARS t/a BM	
BC New York, LLC	Gibson, Majorie v. I.S.J. Management Corp dba Avenue J Realty Associates and BC New York, LLC dba Boston Market	Superior Court of New York, County of Kings	36085/98	10/6/98	Bodily injury	Diane DeVita Carfora, Schepp & Yuhas 1133 Avenue of the Americas New York, NY 10036-6710	Change in D/C due to Wausau not being affiliated w/ Wausau any longer. Actual atty remains the same A/A notified of Ch 11 filing Suit recd 10/22/98. Will most likely be tendered to LL.	Wausau – Jennifer Sweet
Boston Chicken, Inc BC New York, LLC	Gifford, Harry & Rita v. Boston Chicken, Inc. a/k/a Boston Market, John Does 1-5 and ABC Corp.	Superior Court of NJ Ocean County	OCN-L-1026-99	3/26/99	Bodily injury, slip and fall (Marriott employee) Loss of consortium	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of bankr filed 5/28/99 Suit recd 5/7/99, sent to Wausau 5/10/99	Wausau – Kathy Miesch
BC GoldenGate	Gillis, Desiree & Joseph v. Boston Market, Does 1-10	Superior Court of CA County of Sacramento	97AS04454	8/29/97	Bodily and emotional injury	Bob Page Winingham, Roberts, Fama, Kramer & Ramberg 1860 Howe Ave., Suite 400 Sacramento CA 95825	Change in D/C due to Wausau not being affiliated w/ Wausau any longer. Actual atty remains the same Answered for BC	

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
							GoldenGate d/b/a BM. Settlement conf. 10/22/98. Trial scheduled for 11/9/98.	
Mid-Atlantic Restaurant Systems, LP	Graziano, Caroline v. Boston Chicken, Inc.; Boston Market, Inc.; and John Black and Jane Black and Mid-Atlantic Restaurant Systems, Inc. and Mid-Atlantic Restaurant	Court Common Pleas of Montgomery County, PA	97-05166	3/12/97	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Headed for trial. Could not reach agreement at settlement conf. Stip to amend executed 4/15/97	CNA
Boston Chicken, Inc Mid-Atlantic Restaurant Systems, Inc.	Gold Heart Jewelers, IV, Inc. v. Boston Chicken, Inc and MRO Mid-Atlantic Corp.	Court of Common Pleas of Philadelphia County	002223	1/21/98	Water damage claim	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Case dismissed 4/9/99. Suggestion of Bankr filed 2/16/99 Suit recd 1/25/99	Wausau – Al Lodato
Boston Chicken, Inc. BC Boston, L.P.	Goldstein, Myron v. Boston Chicken, Inc. dba Boston Market	Trial Court of the Commonwealth (MA) District Court Dept. Dedham Division	99-54CV-1906		Negligence resulting in bodily injury (screw in ham)	Not yet assigned	Suit recd 11/8/99	Wausau
Boston Chicken, Inc. BC New York, LLC	Greenway, Robert & Dawn Luyendyk v. Boston Market, Inc., Boston Chicken, Inc. d/b/a Boston Market, Robert Thompson (cust), Jennifer Carreo (cust), Leeann Thompson (cust), John Does 1-5 (EE's) and Ron Roe 1-5 (cust)	Superior Court of New Jersey Passiac County	PAS-L-5542-99	9/16/99	Negligence in supervision (altercation in store w/ other cust.)	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of Bankr filed 10/22/99 Suit recd 10/11/99	Wausau – Kathy Miesch
Mid-Atlantic Restaurant Systems, Inc	Grillo, Florence v Mid-Atlantic Restaurant Systems, Inc.	Court of Common Pleas City & County of Philadelphia	001037	1/14/98	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Stay lifted 8/18/99 Suggestion of Bankruptcy filed w. court 10/20/98. Pltf awarded \$2500 at arbitration. Waiting to see if pltf will appeal.	FFIC – Robin Davis
Boston West, LLC	Guerrero, Michael v. BCI	Superior Court of CA County of San Diego	N77208	1/30/98	Slip and fall, bodily injury	Jim McLaughlin Brownwood & Rice 3430 Camino del Rio North, Ste 300 San Diego CA 92108-1796	Motion to lift Stay filed 5/6/99 Notifying court of Ch 11 filing 11/12/98. Answered for Boston West	

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
						619/744-6800	erroneously named as BCI.	
BC New York, LLC	Guzman, Elkins & Magaly v. BC NY, LLC and John Does 1-10	Superior Court of NJ Middlesex County	MID-L-3445-98	3/27/98	Slip and fall, bodily injury, loss of consortium	Ray Bumgardner Bumgardner and Ellis 136 Central Ave. Clark NJ 07066 732/381-9700 732/381-9432 fax	Discovery ongoing	
R&A Foods	Guzman, Nina & Berkley, Mark v. R&A Food Services				Alleged food borne illness	Craig Brams Jack, Wyatt, Tolbert & Thompson 2600 Maitland Center Pkwy, Ste 170 Maitland FL 32751 407/660-1818 407/660-2442 fax	Suggestion of bankruptcy filed with court 10/12/98 – stay order granted 11/20/98 Waiting for mediation date	
BC New York, LLC Boston Chicken, Inc	Hamer, Donald & Deborah v. BCI & Highland Landscaping RHC Associates(LL) added to complaint 10/6/98. Complaint amended to name RHC Associates, BC New York, LLC and Highland Landscaping.	Superior court, CT Judicial Dist of Hartford/New Britain at Hartford	None	9/11/98	Slip and fall, bodily injury	Lisa Faris McGrail, Carroll & Faris, P.C. 388 E. Main Street Branford CT 06405 203/483-0493 203/483-5125 fax	LL has asked us to defend per lease. Agreed Pltf is sitting judge in CT	Wausau – Ann Mannerberg
P&L Food Services	Haseleu, Timothy v. Wendy's and BCI (BCI added thru motion for leave to join addl. Defendant)	Court of Common Pleas Allegheny County	AR98-2736	8/26/98	Trip and fall, bodily injury	James Kennedy Baginski & Bashline One PPG Pl., Suite 2910 Pittsburgh PA 15222 412/391-7005 412/391-0568 fax	Sugg of Bankr filed w/ court Motion to Stay approved 12/9/98 Discovery ongoing	Wausau
BC Great Lakes	Hawkins, Ruby v. BC Great Lakes and BCI	Circuit Court County of Wayne MI	98-807189	3/6/98	Bodily injury	Donna Neibauer Beresh, Prokopp & Sekerak One Towne Square, Number 470 Southfield MI 48076 248/223-0120 248/945-0014 fax	Change in D/C due to Wausau not being affiliated w/ Wausau any longer Administrative Stay executed by court 11/4/98 Discovery ongoing	
BCE West, L.P.	Hellman, Herbert v. BCE West, L.P. and Does I-K	District Court Clark County NV	A378191 Dept XII Docket R	9/10/97	Emotional distress	David Clayton/Mike Royal Cohen Johnson 301 E. Clark Ave, Ste 870 Las Vegas NV 89101 702/382-2111 702/385-9486 fax	Arbitration held 9/17/98. Awaiting decision	
BC Great Lakes Boston Chicken,	Herman, Lawrence v. BM aka BCI and	State of MI 35 th Judicial Court	988C1459PT	5/7/98	Bodily injury	Leo Neville Hoskins & Barney	Hudson settled w/ pltf for \$3500 on 8/27/98.	

SCHEDULE 4.10
LITIGATION
PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
Inc	Hudson Foods					30 Oak Hallow Rd, Ste 325 Southfield MI 48034 248/948-0642 248/948-0748 fax	Included BCI in release agreement	
Mid-Atlantic Restaurant Systems, Inc.	Hill, Katrina v Boston Market Restaurant	Court of Common Pleas Philadelphia County	003070	5/24/99	Bodily injury (T/F, defective sidewalk)	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 6/22/99 Summons recd 6/1/99, courtesy copy	Wausau – Kathy Miesch
Mid-Atlantic Restaurant Systems, L.P.	Hoffman, Thomas v. Boston Chicken a/k/a Boston Chicken store a/k/a Boston Market; Mid-Atlantic Restaurant Systems; Boston Chicken, Inc of Golden CO; Boston Chicken, Inc.; Philadelphia Center Association; Antonia Investments; Antonia Investments-Great Northeast Inc.; Great Northeast Plaza, L.P. & DeBartolo Properties III, Inc.	Court of Common Pleas City & County of Philadelphia	0173	7/8/97	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Stip to amend complaint executed 8/11/97. Settled 5/19/98. Release papers recd 7/1/98.	
P&L Food Services, LLC Boston Chicken, Inc.	Holecko, Robert & Elsie v. Boston Chicken, Inc.	Court of Common Pleas Cuyahoga County, Ohio	385159	Unknown	Negligence resulting in bodily injury (S/F handicap ramp)	Not assigned	Suit recd 6/7/99. Case previously settled, release signed. A/A voluntarily dismissed 6/22/99	Wausau – Angie Adams
BC Great Lakes	Holmes, Thomas Sr. as father & next friend of Thomas Holmes Jr. v. Boston Chicken, Inc.	Circuit Court Cook County	98-L-01130	2/2/98	Alleged food borne illness	William Cross Aronsen & Cross 233 S. Wacker Dr., Suite 1950 Chicago IL 60606 312/715-5500 312/715-5530 fax	Case placed on court bankruptcy calendar Discovery ongoing. Complaint amended to BC Great Lakes d/b/a BCI	FFIC – Michael Ray
BC Golden Gate	Hunter, Lemuel v. BM and Does 1-100	Santa Clara County Municipal Court	DC98-361523	3/13/98	Bodily injury	Paul LeVeque Winningham, Roberts, Fama, Kramer, & Ramberg 60 Spear St, Suite 800 San Francisco CA 94105 415/495-3655	Change in D/C due to Wausau not being affiliated w/ Wausau any longer Amendment naming BC GoldenGate recd 5/98. Setting arbitration date. Discovery almost complete	

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
Mid-Atlantic Restaurant Systems, Inc.	Irons, Connie v Wausau Insurance Co. and Boston Chicken Market	Justices of the Peace Court State of Delaware New Castle County	JP13-99-2793	5/18/99	Negligence resulting in motor vehicle damage	Joe Breyemeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 5/21/99 Suit reed 5/19/99	Wausau – Kathy Miesch
Mid Atlantic Restaurant Systems, L.P. Boston Chicken, Inc.	Jackson, Cheryle v. Love & Quiches, Boston Chicken, Inc.; Mid-Atlantic Restaurant Systems, L.P., Boston Market, John Doe. Mary Doe, ABC Partnerships & XYZ Corporations.	Superior Court of New Jersey Burlington County	BUR L 789-99	3/19/99	Negligence causing bodily injury – fo in brownie	Brian Lutness Naulty, Scaricamazza & McDevitt 200 Lake Drive, East, Suite 206 Cherry Hill NJ 08002 609/482-7869 609/755-0587	A/A voluntarily dismissed 9/22/99. Has 1 yr to refile. Suggestion of Bankr filed 4/29/99 Suit reed 3/29/99	Wausau – Angie Adams
BC Tri-States, LLC Boston Chicken, Inc.	Jacobs, Ruth v. BCI and BC Real Estate	Superior Court Judicial Dist of New Haven at Meridian CT	None	11/24/97	Slip and fall, bodily injury	John Papa Howard, Kohn, Sprague & FitzGerald 237 Buckingham St Hartford, CT 06126-1798 860/525-3101 860/247-4201 fax	Motion to Stay to be filed 1/25/99. Change in D/C due to Wausau not being affiliated w/ Wausau any longer Discovery ongoing	
Mid-Atlantic Restaurant Systems, L.P. Boston Chicken, Inc.	Johnson, Jacqueline v. Boston Market and Boston Chicken, Inc. t/a Boston Market	Court of Common Pleas City & County of Philadelphia (moved to Arbitration level 9/15/98)	000768	6/5/98	Alleged food borne illness	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of Bankruptcy filed w. court 10/20/98. Pltf's counsel uncooperative. Discovery continues. Stip to amend to pltf atty 7/25/98 Arbitration hearing 4/20/99	
Mayfair Partners, LP Boston Chicken, Inc.	Johnson, Jamene v. Mayfair Partners, L.P. t/a Boston Market	District Court of Maryland Baltimore County	Not assigned	Not filed	Breach of duty resulting in bodily injury (S/F, ice)	Neal Brown Waranch & Brown, LLC 1301 York Rd., Suite 300 Lutherville MD 21093-6080 410/821-3500 410/821-3501 fax	Rescinded 9/10/99, does not apply. Sugg. of Bankr filed 8/26/99 CT served 8/11/99 Courtesy copy reed 7/23/99	Wausau – Andy Campbell
BC New York Boston Chicken, Inc	Johnson, Michael v. BM, Andy Chan (GM), BC New York and BCI	Superior Court of NJ Union County	DG3361-98	3/13/98	Bodily injury	Manuella Barrows Law Offices of Donald F. Guida Esq. 300 Executive Drive W. Orange NJ 07052-2372 973/736-8711 973/736-6239	Settled for \$2700 9/16/98. Release papers to follow	
Mayfair Partners Boston Chicken, Inc	Johnson, Patricia v. BCI	Superior Court of DC	SC-017562-98	9/3/98	Bodily injury	Lawrence Eiser Law Offices of Lawrence Eiser	Settled at small claims mediation on 10/5/98 for \$3500	

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
						8630 Fenton St, Suite 814 Silver Springs MD 20910 301/650-9062 301/650-9080 fax		
Mayfair Partner, L.P.	Jones, Carolyn v. Boston Market Mayfair Partners, Ltd Partnership aka Mayfairs L.P.	District Court of Maryland Montgomery County	0601000612119 99	3/8/99	Negligence resulting in bodily injury	Kenneth Smith King & Attridge 39 W. Montgomery Avenue Rockville MD 20850 301/279-0780 301/279-2988 fax	Suggestion of Bank filed 4/15/99 Suit recd 3/30/99	Wausau – Kathy Miesch
Boston Chicken, Inc. BC New York, LLC	Jones, Charles Ray v. Washington Associates and Boston Chicken, Inc. dba Boston Market	State of Connecticut Superior Court		9/16/99	Negligence resulting in bodily inj (T/F)	Andrew Schneider McGrail, Carroll & Faris, P.C. 388 E. Main St / PO Box 1090 Branford CT 06405 203/483-0493 203/483-5125 fax	Suggestion of Bankr filed 10/26/99 Suit recd 9/27/99	Wausau – Kathy Miesch
Boston Chicken, Inc. Mid-Atlantic Restaurant Systems, Inc.	Jorett, Susan & Steven v. Boston Chicken, Inc. dba Boston Market, CT Corporation dba Mid-Atlantic Restaurant Systems, LP, Mid-Atlantic Restaurant Systems, Inc., and Boston Market dba Boston Chicken	Court of Common Pleas Philadelphia County	002036	10/20/98	Premises liability (slip and fall)	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Arbitration scheduled for 4/20/00 Stay lifted 6/17/99 Suggestion of bankr filed 12/10/98	Wausau – Ann Mannerberg
Boston Chicken, Inc P&L Foods Services	Kazeva v. Boston Chicken, Inc.		96-000288		Personal injury	Linda Pretz Baginski & Bashline One PPG Place, Ste 2910 Pittsburgh PA 15222 412/391-7005 412/391-0568 fax	Sugg of Bankr filed 11/13/98. We are being defended by T. Marzetti.	CNA
Boston West	Kelly, Tim v. BM, the Crossroads Shopping Center and Does 1-100	Orange County Superior Court	792187	3/26/98	Slip and fall, bodily injury	Nicole Hampton Koester & Gelman 2121 Towne Centre Placa, Ste 300 Aneheim CA 92806-6124 714/939-1434 714/712-4440 fax	LL accepted tender of defense. File closed 4/28/99 Trial scheduled for 2/22/99. Discovery ongoing	Wausau – Lana Willis
Mid-Atlantic Restaurant Systems	Kesterson, Virginia v. BCI Kesterson, Virginia v.	Court of Common Pleas Delaware county, PA	98-5528 98-20475 (MARS)	4/24/98 3/23/99	Trip and fall, bodily injury	Joe Breyemeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd	A/A filed Proof of Claim w/ Bankr. Court Suggestion of bankruptcy filed 10/23/98.	Wausau – Andy Campbell

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
	Mid-Atlantic Restaurant Systems, L.P.	A/A filed separate complaint against MARS to protect statute.				Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Stip to amend complaint to court 8/25/98. Discovery ongoing	
Mid-Atlantic Restaurant Systems	Kindred, Janet v BM aka BCI and John Does 1-3	Superior Court of NJ Ocean County	L-245-98	1/26/98	Slip and fall, bodily injury	Donald Powell Powell, Birchmier and Powell 1891 State Hwy 50 Tuckahoe NJ 08250 609/628-3414 609/628-2966 fax	Motion to Lift Stay approved 4/30/99 Motion to Stay approved 2/24/99 Discovery continues. D/C answered for BM, no corp entity included.	
P&L Food Services	King, Diane v. Boston Market, P&L Food Services, Inc t/d/b/a Boston Market, McBeck Inc.	Court of Common Pleas Allegheny County PA	GD-97-7410		Slip and fall, bodily injury	William Gallishen Baginski & Bashline One PPG Place, Suite 2910 Pittsburgh, PA 15222	Stay lifted 4/30/99 Suggestion of bankruptcy filed 10/23/98. Discovery continues	Wausau – Debbie Collings
BC New York, LLC Boston Chicken, Inc.	Kobarg, Amy v. Alron Realty Assoc., LLC and BM Restaurant, Inc	Superior Court State of New York County of New York	111949-98	5/4/98	Bodily injury	Rich Bogle Barron, McDonald, Carroll & Cohen 1117 Avenue of the Americas New York, NY 10036 212/248-9100 212/510-9257 fax	Notified A/A of Stay. F/u call to see if court notified 11/19/98 Discovery ongoing	
BCE West	Kohl, Chad vs BC Denver, Inc	Small Claims Court Pima County Consolidated Justice Courts, AZ	98-006747	5/8/98	Alleged food borne illness	Harry L Howe Esq 10505 N 69 th St., Ste 1300 Scottsdale AZ 85253	Notice of Stay filed 11/9/98. Answered for BCE West erroneously named as BC Denver. Waiting for trial date	Wausau
Boston Chicken, Inc. Mid-Atlantic Rest. Systems, Inc	Konrad, Agnes & Joseph v. Boston Chicken, Inc.	Court of Common Pleas Philadelphia County	000628	6/10/99	Negligence resulting in bodily injury (T/F)	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg rescinded 8/31/99 Sugg. of Bankr filed 7/12/99 Suit recd 6/21/99	Wausau – Laurie Humes
BC New York, LLC Boston Chicken, Inc	Kudravy, Anna v. Brennan Associates and BCI	State of CT, Superior Court for the Judicial District of Fairfield at Bridgeport	None	9/18/98	Slip and fall, bodily injury	Jack Papa Howard, Kohn, Sprague & Fitzgerald PO Box 261798 Hartford CT 06126-1798 860/525-3101 860/247-4201 fax	Motion dismissed, clmt recd pmt from LL, dropped BCI suit. Sugg of Bankr filed w/ court 11/5/98 Suit recd 10/1/98, sent to Wausau	Wausau – Christina Parson
BC New York, LLC	Lagalante, Theresa v. BC New York, LLC	Supreme Court of New York	743899	2/17/99	Alleged FBI	Not yet assigned	Suit recd 3/1/99	FFIC – Joe Difilippo

SCHEDULE 4.10
LITIGATION
PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
BC New York, LLC	dba Boston Market Laino, Llwellyn v. Boston Chicken, Inc. d/b/a Boston Market, Frank Stallone and Vito Stallones	County of Bronx Superior Court Nassau County	97-414-OIC	4/28/97	Slip and fall, bodily injury	Mike Collari Epstein, Gann, Grammatico & Hill 200 Old Country Rd., Ste 275 Mineola NY 11501 516/294-4000	Attempting to settle before trial. Defending landlord under reservation of rights	
P&L Food Services	Landrum, Floyd and Tanja	Court of Common Pleas Franklin County Ohio		10/7/98	Alleged food borne illness -loss of consortium (both)	Doug Holthus Reminger & Reminger Co., L.P.A. 505 S. High Street Columbus OH 43215-5657 614/461-1311 614/469-7177 fax	Voluntary Dismissal w/o Prejudice 9/16/99 Sugg of Bankr filed 1/13/99 Change in D/C due to not being affiliated w/ Wausau Recd suit 10/12/98	Wausau – Rob Ridenour
R&A Food Services, L.P. R&A Food Services, Inc. Boston Chicken, Inc	Larsen, Gloria & Bernhardt v. Boston Chicken, Inc., R&A Food Services, L.P. (R&A Food Services, Inc – complaint) dba Boston market and Boston Rotisserie Chicken	Circuit Court of the 16th Judicial Court Pinellas County, FL	99-499-CI-19	1/22/99	Negligence Bodily injury Loss of Consortium	James Hickman James, Hoyer, Newcomer, Forez & Smiljanich, P.A. 4830 W. Kennedy Blvd Tampa FL 33609 813/286-4100 813/286-4174 fax	Stay lifted 6/18/99 A/A requested lift. Sugg of Bankr filed 2/18/99	CNA – RSKCo, Twila Walburn
Mid-Atlantic Restaurant Systems, Inc.	Laserow, Arlene & Irving v. Boston Market a/k/a Boston Chicken	Court of Common Pleas Montgomery County	98-20555	11/13/98	Bodily injury Negligence	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Settled for \$8,200. Papers to be filed. Stay lifted 6/18/99 Sugg of bankr filed 12/9/98 Suit recd 11/18/98	Wausau – Ann Mannerberg
BC New York, LLC	Latimore, Perdethia; Harden, Beverly & Sheldon; Harriston, Lucinda; Butler, Marie; Brown, Andrea v. Boston market, Inc.	Civil Court, City of NY County of Queens	None	Not filed yet	Negligence Alleged FBI	Peggy Rohan Bellofatto, Martyn, Toher, O'Connor & Esposito 330 Old County Rd Mineola NY 11501 516/739-0000	Motion to Stay to be filed w/ Answer. Courtesy copy of suit recd 12/21/98, A/A has not filed	Wausau – Jennifer Sweet
BC New York, LLC (defending landlord per lease agreement)	Logvin, Daniel v. Plaza Realty Inc; Peace Management Inc. and Centerpeace Contracting, Inc.	Supreme Court of NY County of Wausau	001981-97	6/26/97 (amended summons)	Indemnification of employee injury – sued LL, obligated to defend under the lease	Paul Hennings Law Office of Ted Tobias	Waiting for LL counsel to transfer case. Our D/C appearing at all hearings as observer	
Mid-Atlantic Restaurant Systems	Lynch, Rita Ellen v. Boston Market, 220 E. Street Rd, Feasterville PA	Commonwealth of PA Bucks County	CV-599-98	11/19/98	Bodily injury Negligence	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd	Suit recd 12/17/98 Hearing 1/8/99 Sugg of Bankr filed w/ court – continuance on	Wausau – Laurie Humes

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
						Philadelphia PA 19103 215/568-5116 215/568-2077 fax	hearing	
Finest Foodservice	Mahan, Barbara v. Finest Foodservice	Circuit Court of Jackson City, MO	CV98-3830	2/26/98	Bodily injury	Jim Hess 10975 El Monte Overland Park KS 66211-1497 913/345-2408	Sugg of bankr filed 12/3/98	Wausau
BC New York	Majana, Doreen Dalli v. Boston Chicken, Inc.; ABC and/or John Doe, Def. Corp and/or Larry Lowe	L-108-97	3/21/97		Alleged food borne illness	Karen Buerle Hoagland, Longo, Moran, Dunst and Doukas 40 Paterson Street New Brunswick NJ 08903 908/545-4717 908/545-4576 fax	Discovery ongoing. Amended to BC NY LLC 6/30/97	CNA
Mid-Atlantic Restaurant Systems	Malamut, Tracy for Jason Malamut, minor v. BM	Court of Common Pleas County of Montgomery, PA	CV-0000202-98	5/14/98	Alleged food borne illness	Joe Breyemeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of Bankruptcy filed 10/29/98 Discovery ongoing.	Wausau – Jo Ann Ianieri
Mid-Atlantic Restaurant Systems	Manns, Taria v. Boston Market, John Doe 1-5 and ABC Corporation	Superior Court of New Jersey Atlantic County	ATL-L-879-99	3/12/99	Negligence resulting in bodily injury (S/F, dining room)	Gery Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr. Filed 8/17/99 Suit recd 7/21/99. A/A states served on store 5/27/99	Wausau – Andy Campbell
BC New York	Markarian, Albert & Rose v. BM and Whiteman Park Plaza (landlord)	Superior Court of NJ Bergen County	BER-L-2151-98	3/11/98	Trip and fall, bodily injury, loss of consortium	William Wallace Law Offices of Donald F. Guida Esq. 300 Executive Drive W. Orange NJ 07052-2372 973/736-8711 973/736-6239	Stay lifted 6/8/99 Assumed defense for landlord per lease agreement. Discovery ongoing	Wausau – Jennifer Sweet
Mid-Atlantic Restaurant Systems Boston Chicken, Inc	Marshall, Andrea v. BCI t/a Mid-Atlantic Restaurant Systems, LP and BM	Court of Common Pleas Philadelphia County, PA	002738	8/98	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Stay lifted 10/4/99. Suggestion of Bankruptcy filed w. court 10/20/98. Discovery ongoing. Stip to amend complaint to pltf atty 9/17/98	Wausau – Laurie Humes
Boston West	McGowan, Lori v. BM and Does 1-20 and Doe Corp. 1-20	County of Los Angeles State of California	98CO0337	3/3/98	Bodily injury	Ed Anderson Sanford, Sherlock, Sinatra & Felchlin	Stay lifted 7/23/99 (BW notified us 8/23/99) Notified Court of bankr	Wausau – Lana Willis

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
		Municipal Court				301 N. Lake Ave, Suite 1100 Pasadena CA 91101 626/432-4900 626/432-4914 fax	11/13/98. Discovery ongoing	
BCE West, LP	Mechling, Wilma v. BCE West, LP and Vicorp Restaurants, Inc.	Superior Court of the State of AZ County of Maricopa	CV 97-22036	8/19/98	Bodily injury	Mark Ishikawa Cook & Fitch 4041 N. Central Ave, Suite 1550 Phoenix AZ 85067-0020 602/530-1090 602/530-1097 fax	Notice of Auto. Stay filed with the court 10/21/98. Trying to tender defense to Vicorp. Their product caused injury	
BC GoldenGate	Medeiros, Sherrie v. BM and John Does 1-25	Municipal court of CA Contra Costa County Mt. Diablo Judicial Dist.	92648	1/22/98	Slip and fall, bodily injury	Paul LeVeque Winningham, Roberts, Fama, Kramer, & Ramberg 60 Spear St, Suite 800 San Francisco CA 94105 415/495-3655	Change in D/C due to Wausau not being affiliated w/ Wausau any longer Notice of Bankr filed with court 11/17/98 Discovery ongoing. Answered as BC GoldenGate erroneously named as BM	
Boston West, LLC	Menken-Saltz, Susan v. BCI, BM, Boston West LLC	Orange County Superior Court	788404	12/23/97	Bodily injury	Tom Camardi Koester & Gelman 2121 Towne Centre Place, Ste 300 Anaheim CA 92806-6124 714/712-4446 714/712-4440 fax	Binding mediation on 10/23/98, awarded \$14,750. Answered Boston West erroneously named as BCI	
BC Golden Gate	Midland Risk Insurance v. Chylanee N. Dixon (ex employee), Crystal Swink, Boston Chicken, Inc. d/b/a Boston Market and Does 1-X	Municipal Court of CA County of Santa Cruz	MS971107	8/25/97	Subrogation as result of auto accident w/ BM employee	Dave Key Sandall & Penrose 1740 Technology Dr., Suite 460 San Jose CA 95110-1315 408/436-3310 408/436-3341 fax	Attempting to settle for amount Midland paid out to their insured (\$4,500) BCI dismissed 7/30/98	
Boston Chicken, Inc BC Omaha	Miller, Glenda v. BCI	District Court, Douglas County NE	Doc. 975 No. 240	8/21/98	Bodily injury	Amy Sherman LaFollette Nolan, Roach, Olsomn, Feiber & Lautenbaugh 300 S. 19th Street, Suite 302 Omaha NE 68102 402/342-6233 402/342-9362 fax	Sugg of Bankr filed 11/23/98. Answered for BCI denying ownership/occupation. Statues ran, may not be able to add BC GL.	CNA-Clark Brownfield
BC New York, LLC Boston Chicken,	Montgomery, Margaret v. BM aka BCI	Superior Court of CT	None	8/7/98	Bodily injury	Not assigned – settled by adjuster	Settled for \$4K prior to filing	

SCHEDULE 4.10
LITIGATION
PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
Inc.								
Mid-Atlantic Restaurant Systems, L.P.	Morgan, Louella v. Boston Market, Mid-Atlantic Restaurant Systems, LP; Freedom Properties; John Does and Richard Roe Companies	Superior Court of NJ Burlington county	BUR-L-03019-97	10/20/97	Slip and fall, bodily injury	Eileen Strulsen Mondelli & Carbone 700 E. Gate Drive, Suite 220 Mt Laurel NJ 08054 856/866-2888 856/866-2907 direct 609/866-8787 fax	Motion to lift Stay granted by court 1/18/99. Request to court to stay litigation filed 10/8/98 Discovery ongoing. Probable trial date 12/99	FFIC – Joe Difilippo
Mayfair Partners Boston Chicken, Inc.	Morris, Sharon v. Mayfair Partners, BCI and Tameka James (employee)	Superior Court of DC	98CA001933	3/3/98	Assault & battery Respondeat Superior Negligent Supervision Negligent Hiring/Retention	Robert Morgan Mason, Ketterman & Morgan 4 N. Park Drive, Suite 404 Hunt Valley MD 21030	File stayed. Discovery to be completed 12/5/98. Will likely be extended. We are not defending employee	
BC GoldenGate	Moss, Nicole v. Boston Market International, BC GoldenGate and BM	US District Court North District of CA	C-98-1771-S1	5/1/98	ADA compliance	Larry Hensley Nagley & Meredith 8001 Folsom Blvd, Ste 100 Sacramento CA 95826 916/386-8282 916/386-8952 fax	Restrooms have been brought into compliance. Pltf atty most likely will have to refile in State court to get any damages.	
BC Tri-States, LLC	Moulton, Linton v Boston Market and Sly & Bernice Polekoff (LL) (assuming defense for LL) (BM and Tri-States voluntarily dismissed 10/99)	Superior Court of NJ Middlesex County	L-5000-99	5/28/99	Negligence resulting in bodily injury (bone in CK)	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 6/29/99 Suit recd 6/14/99. Courtesy copy, not yet served.	Wausau – Kathy Miesch
Finest Foodservice	Mudd, Audrey v. Finest Foodservice and GFI America, Inc.	MO Circuit Court 22nd Judicial Court	982-00525	2/19/98	Alleged food borne illness	Mathieu Bregande Riethmann, Valentine & Rouse 10733 Sunset Office Drive, Ste 410 St. Louis MO 63127 314/965-5440 314/965-3649 fax	Motion to lift Stay approved 4/30/99 Suggestion of bankruptcy filed 10/30/98. Discovery ongoing	Wausau – Gerry Taylor
Boston Chicken, Inc. New Jersey Rose, LLC	Mulligan, Michael v. John Doe, Jane Doe and ABC Corporation t/a and /or d/b/a Boston Chicken	Superior Court of NJ Ocean County	OCN-L-2143-96	6/14/96	Bodily injury	Gerard Green Charles Peter Hopkins II 655 Shrewbury Avenue Shrewbury NJ 07702 732/933-7900 732/747-9738 fax	Dismissed w/ prejudice 4/21/98	CNA
BC New York,	Musarra, Consolina &	Superior Court of New	BER-L-8036-	9/9/98	Bodily Injury	Joe Breymeier	Sugg of Bankr filed 1/6/99	Wausau –

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
LLC	John v. Boston Market Restaurant and Boston Market Store # 319	Jersey Bergen County	98		Negligence	Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax		Jennifer Sweet
Boston Chicken, Inc. BC New York, LLC	National Surety a/s/o Boston Chicken, Inc., et al v. Medical Determinations v. Boston Chicken, Inc., et al: Atlas Assurance Co., v BCNY, LLC, et al; and Hartford Fire Insurance Co. v. United States Sprinkler Corp (Boston Chicken, Inc. is not a named defendant in this action)	Supreme Court, Queens County			Jackson Heights fire	Curt Schiner Lester Schwab Katz & Dwyer, LLP 120 Broadway New York, NY 10271-0071 212/964-6611 212/267-5916 fax	Stay lifted against Atlas Assurance, however remainder still stayed. Judge dismissed to 12/7/99 for plaintiffs to make formal application to lift stay collectively	FFIC – Joanne Garland
Mid-Atlantic Restaurant Systems	Newsome, Roy v. Boston Chicken, Inc. d/b/a Boston Market and/or Boston Chicken, John Does (a-z) and XYZ Entity (A-Z)	Superior Court of NJ Camden County	L-00860-97	2/5/97	Bodily injury	Patrick Grimes Grimes, Grimes, Grimes and Grimes 1230 Brace Rd Cherry Hills NJ 08034 609/428/2299 609/424-3559 fax	Complaint amended 6/5/97	CNA
Mid-Atlantic Restaurant Systems, L.P.	Nolen, Edward & Marie v. Edward Selser (employees father), Michael Selser (employee) and James Ferber (GM) individually and d/b/a Boston Market	Court of Common Pleas Montgomery county	97-16545	3/19/98	Bodily injury, loss of earnings, loss of consortium. MVA involving employee in personal vehicle	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Discovery ongoing. Ferber voluntarily dismissed b/c declared bankruptcy	
Boston Chicken, Inc. Mid-Atlantic Restaurant Systems, Inc.	O'Connor, Robert & Collette v. Boston Chicken, Inc. dba Boston Market and ABC Corp	Superior Court of NJ, Camden Coutny	L-7540-98	9/29/98	Bodily injury/dental claim	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suit recd 11/2/98	Wausau – Andy Campbell
Mid-Atlantic Restaurant Systems Boston Chicken, Inc	O'Lone, Paul v. BCI	Court of Common Pleas Philadelphia County, PA	003293	4/30/98	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103	Suggestion of Bankruptcy filed w. court 10/20/98. Discovery ongoing. Stip to amend to pltf atty 5/19/98	Wausau – Ann Mannerberg

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
						215/568-5116 215/568-2077 fax		
BC Great Lakes, LLC	O'Neill, William v. BC Great Lakes, LLC d/b/a Boston Market f/k/a Boston Chicken	Circuit Court of Cook County, IL	95-L-9509	10/7/96	Bodily injury	Kirk Rasmussen Purnal, Barnes & Cohn 20 S. Wacker Drive Chicago IL 60606	Trying to settle out of court. May go into non-binding arbitration	CNA
New Jersey Rose, LLC	Olah, Edwin & Linda v. New Jersey Rose, LLC	Superior Court of New Jersey Ocean County	OCN-L-4139-96	11/26/96	Bodily injury	Eileen Strulsen Mondelli & Carbone 700 E. Gate Drive, Suite 220 Mt Laurel NJ 08054 609/866-2888 609/866-8787 fax	Case dismissed 11/97. A/A has now requested court to vacate dismissal. Court has been advised if vacated that suit must be Stayed b/c of Ch 11	FFIC – Joe Difilippo
R&A Food Services, Inc.	Page, Malora v. R&A Food Service, Inc. d/b/a Boston Market f/k/a/ Boston Chicken	Circuit court 13 th Judicial Circuit Hillborough County	96-7108	10/24/96	Slip and fall, bodily injury	Ron Hobgood Behan, Hektner & Miller PO Box 18025 Tampa FL 813/289-6020	Awarded costs 9/23/99. Complete defense verdict at trial 5/14/99. A/A requesting new trial.	FFIC – Martha Holmes
BC New York, L.L.C.	Palmeri, Michael v Boston Market, John Doe I-X, Jane Does I-X	Superior Court of New Jersey Middlesex County	MID-L05109-99	5/19/99 (complaint)	Negligence resulting in bodily inj. (T/F P/L)	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 7/30/99 Suit recd 7/15/99	Wausau-Andy Campbell
R&A Food Services, Inc. R&A Food Services, L.P.	Paterniti v Boston Market, Inc.	Circuit Court of the 16 th Judicial Circuit, Monroe County FL	98-1471-CA-11	12/15/98	Negligence resulting in FBI	Luks, Koleos & Santaniello 515 E. Las Olas Blvd, Suite 1050 Ft Lauderdale FL 33301 954/761-9900 954/524-1135 fax	Suit recd 3/4/99	CNA/RSKCo – Jill Cannon
Boston Chicken, Inc.	Paul, Lori & Timothy v. Boston Chicken, Inc.; Cleveland Range Inc., and GCS Service, Inc.	Circuit court County of Wayne	97-723523	730/97	Negligence	Larry Davidson Harvey Kruse, Westen & Milan 1050 Wilshire Dr, Suite 320 Troy, MI 48084 248/649-7800 248/649-2316 fax	Motion to proceed against Cleveland granted Notice for Stay filed w/ court 10/19/98. Change of D/C due to Wausau not being affiliated w/ Nationwide Discovery ongoing	
BC New York, L.L.C.	Perullo, Anthony v. Boston Market	Superior Court of NY Suffolk County	98-14351	6/19/98	Bodily injury	Matt Rainis Abbate, Lawrence & Worden 425 Broadhallow Rd, Ste 120 Melville NY 11747 516/694-0033 516/694-9331 fax	Stay lifted 3/24/99 Suggestion filed. Discovery ongoing. Answered for BC NY LLC s/h/a BM	

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
BC New York, LLC Boston Chicken, Inc.	Petonito, Dolores v. Partner 95, LLC (LL) and Boston Chicken, Inc.	Superior Court of CT J.D. of New Haven @ Meridian		7/27/99	Negligence resulting in bodily injury (T/F, P/L)	Lisa Faris McGrail, Carroll & Faris, P.C. 388 E. Main Street Branford CT 06405 203/483-0493 203/483-5125 fax	Suit recd 8/4/99	Wausau – Kathy Miesch
Boston West, LLC	Pierce, Robert & Freida v. Boston West LLC dba Boston Market and Does 1-100	Superior Court of CA San Diego County	N079838	11/24/98	Product Liab. Negligence Breach of Warranty Negligent Misrepresentation	Gabrielle DeSantis DiCaro, Lacey & Nield 11455 El Camino Real, Ste 250 San Diego CA 92130-2845 888/350-5888 619/350-5999 fax	Motion to lift stay approved by court 3/2/99 Notice of Stay to court 1/12/99	Wausau – Lana Willis
BC Boston	Pina, John v. BM	District Court Brockton Division, MA	9715-CV-1128	7/21/97	Bodily injury	Mark Lavoie McDonough, Hacking & Neumier 73 Tremont St Boston MA 02108 617/367-3816	Motion to Stay allowed 11/20/98 Motion to Stay filed w/ court 10/23/98. Discovery ongoing	
P&L Food Services, LLC	Pittman, Robin & Craig v. Boston Chicken, Inc. t/b/a Boston Market	Court of Common Pleas Allegheny county	GD-98-003918	3/11/98 (Praeipce for Writ of Summons) 5/22/98 (Complaint)	Slip and fall, bodily injury	Kenneth Nolan Campbell, O'Keefe, Nolen and Daly 410 Two Chatham Center Pittsburgh PA 15219 412/263-4596	Stay lifted 9/13/99 Discovery ongoing. Stip to amend caption granted 5/26/98	FFIC-Joann Johnson
BC New York, LLC Boston Chicken, Inc.	Puro, Miriam v. BCI, Highland & Boulder Partner, Marlar Mgt Corp.	Superior Court of NY County of Richmond	13052/97	9/12/97	Slip and fall, bodily injury	Diane DeVita Carfora, Schepp & Yuhas 1133 Avenue of the Americas New York, NY 10036-6710	Change in D/C due to Wausau not being affiliated w/ Wausau any longer. Actual atty remains the same Notified A/A of auto Stay b/c of filing. Trial scheduled for 12/2/98.	
Boston Chicken, Inc. BC Golden Gate, L.L.C	Quddus, Ali v. James Albano(GM), Ryder Trs, Boston Chicken, Inc. dba Boston Market and Does 1-10	Superior Court of California County of Santa Clara		9/8/99	Negligence in operation of vehicle (MVA – PD & BI)	Not yet assigned	Suit recd 10/12/99	Wausau
Boston West	Reed, Robbie v. BM	Municipal Court of West Los Angeles	98T01404	3/24/98	Slip and fall, bodily injury	Dan Eskue Koester & Gelman 301 N. Lake Avenue, 4 th Floor Pasadena CA 91109-4108 626/440-0666	Stay lifted per court order 4/12/99 Notice of Bankr to court 11/20/98 Discovery ongoing	
BC New York,	Ricci, Elizabeth v.	Superior Court of New	L-7270-98	11/5/98	Negligence	Glenn Montgomery	Court notified of Ch 11	Wausau –

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
LLC Boston Chicken, Inc.	Boston Chicken, Inc. dba Boston Market, Boston Chicken, Inc. Boston Market, Boston Market, Inc. Richfield Village Associates, John Doe 1-10, and ABC Corp.	Jersey Passaic County			Breach of duty Bodily injury – slip and fall	Pollack, Montgomery & Chapin 2460 Lamington Road Bedminster NJ 07921 908/234-0330 908-234-0709 fax	Stay 1/27/99 Suit recd 1/21/99	Jennifer Sweet
Boston Chicken, Inc. BC Boston	Riley, Robert v. Boston Chicken, Inc.	Dorchester District Court, MA	9707CV1244	2/6/98	Slip and fall, bodily injury	John Knight Morrison, Mahoney and Miller 250 Summer St. Boston MA 02210-1181 617/737-8891 617/439-7590 fax	Settled 6/14/99 \$11K. Motion to lift Stay approved 4/5/99 Sugg of Bankr filed 12/30/98. Pltf atty will substitute BC Boston for BCI. Discovery ongoing.	CNA-Cindy Metzger
BC Tri-States, LLC Boston Chicken, Inc.	Riordan, Peter J., an Infant under the age of 14 years, by John A. Riordan, his father and natural guardian ad litem; and John A. Riordan individually v. Boston Chicken, Inc. t/a Boston Market; and BC Tri States, L.L.C. dba Boston Market	Superior Court of New Jersey Bergen County	L-2085-99	3/26/99	Negligence resulting in bodily injury	Joe Breyemeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr. Filed 4/13/99. Suit recd 3/29/99	Wausau – Jennifer Sweet
BC Great Lakes, LLC	Rizzo, Richard v. BC Great Lakes LLC dba BM	Circuit Court of Cook County, IL Municipal Dept, 1 st District	98M1306869	9/11/98	Bodily injury	Anthony Fanone Law Offices of Mark R. Rudoff 1431 Opus Place, Suite 100 Downers Grove IL 60515 630/719-2886 630/719-0771 fax	Motion for Stay granted 12/3/98. Just turned over to D/C 9/25/98	
BC New York, LLC	Roberto, Thomas v. Boston Market, BC New York and Boockford and Boston Chicken	Supreme Court of the State of New York County of Kings	46457/98	12/3/98	Negligence Breach of Warranty (FBI)	Steven Goldstein	Suit recd 1/18/99. FFIC denial rescinded 3/8/99 Demand is \$20 million	FFIC – Joe DeFilippo
Boston Chicken, Inc. BC Golden Gate, LLC	Robertson, Christina v. Boston Chicken, Inc. dba Boston Market and Does 1-50	Solano County Superior Court	L011350	9/29/98	Bodily injury, slip and fall	Paul Fama/Paul LeVeque Winingham, Roberts, Fama, Kramer, & Ramberg 60 Spear St., Suite 800 San Francisco CA 94105 415/495-3655	Stay lifted 5/14/99 Recd courtesy copy of suit 10/21/98, not yet served.	Wausau – Lana Willis

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
BC New York, LLC	Robinson, Joanne v. Boston Market and John Does 1/10	Superior Court of New Jersey Somerset County	L-2113-98	12/17/98	Negligence Strict Liability Breach of Warranty Bodily Injury	415/777-0642 fax Glenn Montgomery Pollack, Montgomery & Chapin 2460 Lamington Rd Bedminster NJ 07921 908/234-0330	Suit recd 2/2/99	Wausau – Jennifer Sweet
BC Tri-States	Rose, Jacqueline v. BC Tri-States, Harvey Rettinger (GM-ex employee), Kenneth Brodie (AM) and Joe Vodola	Superior Court of NJ Passaic County	L-6462-28	7/10/98	Wrongful termination Wrongful & illegal search False, improper & malicious staements	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	File transferred to Naulty 8/20/99 Order for auto Stay approved 4/16/99 Wausau has denied coverage for all parties.	
Mid-Atlantic Restaurant Systems, Inc.	Sansoni, Joseph v. Mid Atlantic Restaurant d/b/a or t/a Boston Market Restaurant	Court of Common Please Philadelphia County	000284	10/5/99	Negligence, failure to notify of defect (S/F, P/L)	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suit recd 10/21/99	Wausau – Kathy Miesch
BC New York, LLC	Santoro, Helen & Dominick v. BCI dba BM and Kimco Greenridge 674 Inc.	Supreme Court of NY, Richmond County	12093/98	7/9/98	Slip and fall, bodily injury	Diana DeVita Barron, McDonald, Carroll & Cohen 1117 Avenue of the Americas New York, NY 10036 212/248-9100 212/510-9259 fax	A/A notified of Ch 11 filing. Amended complaint to remove BCI, add BC NY recd 9/28/98. Discovery ongoing	
Mid-Atlantic Restaurant Systems, Inc.	Saylor, Rev. Robert v. Wausau Nationwide Insurance Group	Commonwealth of PA County of Lehigh	CV-000024-99	4/6/99	Alleged FBI	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suit recd 4/14/99, Wausau served	Wausau – Kathy Miesch
BC TKO Boston Chicken, Inc.	Schade, Edward & Rebecca v. Boston Chicken, Inc. d/b/a Boston market and Medical Mutual of Ohio	Court of Common Pleas Greene County, OH	98-CV-0134	3/12/98	Slip and fall, bodily injury	Paul Mills MR Donoff & Associates 1313 Talbox Tower Dublin OH 45402 937/223-4400	Request to court to stay litigation filed 10/9/98 Discovery ongoing. Asked pltf atty to dismiss BCI. Will file summary judgement soon. Trial 5/26/99	
BC Great Lakes	Schatterman, Jo				Slip and fall, bodily injury	Dawn Ehrenberg McKenna, Storen, Rowe, White & Farr	Motion to Stay filed. Court heard motion & stayed lit. until 2/4/99.	

SCHEDULE 4.10
LITIGATION
PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
						200 N. LaSalle, Suite 3000 Chicago IL 60601 312/558-3933 312/558-8348 fax	Discovery ongoing	
Mid-Atlantic Restaurant Systems, L.P.	Segal, Martha & Samuel v. Boston Chicken, Inc. d/b/a Boston Market and Miriam Frank (pltf's friend)	Philadelphia county Court of Common Pleas	00618	1/9/98	Bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Motion to Lift Stay recd 2/24/99 Suggestion of Bankruptcy filed w. court 10/20/98. Discovery ongoing. Stip to amend executed 3/19/98	FFIC-Robin Young
BC New York, LLC	Segneri, James v. Piece Management, Inc. Apportionment defendants: Sunrise Equities Corp., March-On Engineering, Al-Jon Construction Corp., CPG, Inc., Atlantic Foods Ltd Partnership, Harold Wellings dba White Electric	State of Connecticut Superior Court	CV98-0357123 S	1/25/99	Negligence (Segneri is EE, electrocuted at work, suing Piece for negligence in maintenance of outlet)	Not yet assigned	Coverage under GL policy denied. Will be covered under Work Comp Suit recd 2/12/99	Wausau
Boston Chicken, Inc. BC Golden Gate, LLC	Silas, Ladortha (Dorothy) v. Sunhill Enterprises (LL), Faidi Living Trust (LL contact), Boston Chicken, Inc.	Superior Court of CA County of Alameda, Southern Division	H207427-8	5/24/99	Negligence Willful Failure to Warn (S/L in P/L)	Paul Fama/Paul LeVeque Winingham, Roberts, Fama, Kramer, & Ramberg 60 Spear St., Suite 800 San Francisco CA 94105 415/495-3655 415/777-0642 fax	Suit resolved via dismissal w/o prejudice. Will proceed against LL who is resp. for P/L. Suit recd 7/6/99	Wausau – Lana Willis
Boston West	Simmons, Leonard v. Boston Market	Superior Court of CA County of Kern	234316-AEW	7/21/97	Bodily injury	Roger Stewart Sandall & Olsen 2490 W. Shaw Ave., Suite 202 Fresno CA 93711-3305 209/436-2266 209/436-2255 fax	Case dismissed w/out prejudice on 9/15/98 for pltf atty failure to respond to discovery	
R&A Foods Services, L.P.	Slate, Amy v. R&A Food Services, L.P. dba Boston Market	Circuit Court of the 15 th Judicial Circuit, Palm Beach County FL		9/14/98	Bodily injury, slip and fall	John Lurvey Conroy, Simberg & Ganon 1801 Centrepark Drive East, Ste 200 West Palm Beach FL 33401 561/697-8088 561/697-8664 fax	D/C notified of Ch 11 – should be filing motion	
BC Boston Wausau	Slone, Roberta v BC Boston Wausau	State of Rhode Island Superior Court	None		Bodily injury	John McQueeney Higgins & Slattery 1204 Fleet National Bank	Suit will continue w/ Wausau as defendant Change in D/C –	Wausau-Christina Parson

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
	(A/A motion to substitute carrier for defendant in bankruptcy granted 2/22/99, allowed in RI)					Bldg Providence RI 02903 401/751-3600	Wausau/Liberty merger Settlement negotiations continue	
Mayfair Partners, L.P. Boston Chicken, Inc	Smith, Aaron v Mayfair Partners, L.P.	District Court of MD Prince George County	0502001023419 99	4/7/99	Bodily injury, slip and fall	Not yet assigned	Suit recd 4/30/99	Wausau – Al Lodato
Mid-Atlantic Restaurant Systems	Smith, Joanne v. Mellon/PSFS; Mellon Bank, N.A.; Mellon bank Corp.; Southeastern Pennsylvania Transporatiions Authority a/k/a/ SEPTA; Southeastern Pennsylvania Transportation Co.; Roy Rogers Family Restaurant; Marriott Corp.; Host Marriott Corp.	Court of Common Pleas Philadelphia County	1358	7/11/96	Slip and fall, bodily injury	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Settled for \$14,500 on 6/10/98. Release papers recd 9/17/98	CNA
Boston Chicken, Inc. BC New York, LLC	Sobel, Phyllis v. Boston Chicken, Inc. dba Boston Market	Supreme Court of the State of New York, County of Richmond	13024198	10/5/98	Bodily injury, slip and fall	Jeffery Harris Barron, McDonald, Carroll, Cohen & Harris One Whitehall St New York, NY 10004-2109 212/248-9100	Stay lifted 4/27/99 Recd suit 10/17/98 D/C notified of Ch. 11 filing	Wausau – Jennifer Sweet
Boston West, LLC	Steele, Michelle v Boston Chicken, Inc. dba Boston Market Restaurant and Does 1-25	Municipal Court of South Bay (CA)	SB99C00679	3/16/99	Negligence resulting in FBI	Gary Duarte Sanford, Sherlock, Sinatra & Felchlin 301 N. Lake Ave., Suite 400 Pasadena CA 91101-4108 626/568-4466 626-568-4395 fax	Suit recd 4/19/99	Wausau – Lana Willis
P&L Food Services, LLC	Stoyanoff, Thomas & Judy v. Cleveland Steam Cooking Specialists, Welbilt Company and Boston Market	Court of Common Pleas Allegheny County	99-14682	9/10/99	I- Strict Liab II- Negligence III- Breach of Warranty IV- Loss of Consortium (Burned by steam while	Gerry Smith Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 11/2/99 Suit recd 9/30/99	Wausau – Andy Campbell

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
BC New York, LLC	Sullivan, Joan v. BC New York, LLC	Supreme Court of New York County of Nassau	1N97002984	1/31/97	repairing steamer Slip and fall, bodily injury	Mike Collari Epstein, Hill, Grammatico & Gann 200 Old Country Rd, Ste 375 Mineola NY 11501 516/294-4000 516/294-6799 fax	Discovery continues	
Mid-Atlantic Restaurant Systems, Inc.	Szabo, Sharon & John v. Boston Market Restaurant – Store 390, John Doe Owner and John Doe Employee 1/20/99-complaint amended to correctly name MARS	Superior Court of New Jersey, Atlantic County	ATL-L-3156-98	9/4/98	Bodily injury	Powell, Birchmeier & Powell 1891 State Hwy 50 Tuckahoe NJ 08250 609/628-3414	Motion re: Stay to court 2/8/99 Notice of Bankr filed w/ court 11/23/98 A/A clms to have served store 9/28/98, Wausau recd courtesy copy 11/9/98.	Wausau
Boston Chicken, Inc. BC New York, LLC	Tang, Jerry, an infant by his father & natural guardian, Kia Neun Tang and Kia Neun Tang individually v. Boston Chicken, Inc., Boston Chicken New York LLC dba Boston Market	Supreme Court of New York County of Queens	12943-98	6/19/98	Negligence resulting in bodily injury (burn)	Not yet assigned	Courtesy copy recd from Akin Gump 7/20/99	FFIC – Thomas Faulk
R&A Food Services, L.P	Thom, Patricia v R&A Food Services, L.P. dba Boston Market	Circuit Court of the 11 th Judicial Circuit Dade County, FL	99-12209	5/18/99	Negligence resulting in bodily injury (S/F)	Craig Brams Jack, Wyatt, Tolbert & Thompson 2600 Maitland Center Pkwy, Ste 170 Maitland FL 32751 407/660-1818 407/660-2442 fax	Suit recd 5/24/99	Wausau – Grant Gibbons
BC New York, LLC Boston Chicken, Inc.	Toth, William Jr v. Boston Chicken, Inc., Boston Market and BC New York 2/3/99-amended complaint to include Piece Management and G.L. Millwork	Superior Court of NJ, Passaic County	PAS-L-4357-98	6/25/98	Bodily injury	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Suggestion of Bankruptcy filed w/ court 10/26/98 Stip to amend defendants to pltf's atty 9/3/98. Discovery ongoing	Wausau – Andy Campbell
Boston Chicken, Inc.	Toto, Frank J. v. Boston Chicken, Inc. t/a Boston	Superior Court of NJ Passiac County	PAS-L-6143-98	9/17/98	Burn case, negligence, bodily injury	Gerry Smith Naulty, Scaricamazza &	Suggestion of bankruptcy filed 10/26/98	Wausau – Andy Campbell

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
BC New York, LLC	Market Restaurant #696, ABC Corporations 1-10, and John Does "A-D"					McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Reed suit 10/16/98	
Mid-Atlantic Restaurant Systems, L.P.	Township of Medford v. Mid-Atlantic Restaurant Systems, L.P. and Safeco Insurance Company of America	Superior Court of NJ Burlington County	BUR-L-1925-99	7/9/99	Breach of contract (not replacing dead trees)	Not yet assigned	MARS removed from action b/c of bankruptcy. Not covered by insurance. Suit recd 7/15/99	N/A
BC New York, LLC	Turner, Crisella & Joseph v. Boston Market, corporation; Boston Market, unincorporated; AVFM Corp.; BC New York, LLC; John Does Corp 1-15 and Richard Roe 1-5	Superior Court of NJ Essex County	ESX-L-1797-98	2/13/98	Bodily injury Intentional infliction of emotional distress	Joe Breymeier Naulty, Scaricamazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Sugg of Bankr filed 12/18/98 Discovery continues. FFIC issuing partial disclaimer on intentional infliction allegation. Filed cross clm against LL for indemnification	FFIC – Joanne Garland
Boston Chicken, Inc BC Tri-States, LLC	Vaccaro, Helen v. Boston Chicken, Inc.	Superior Court of Stamford/Norwalk at Stamford	None	4/8/98	Slip and fall, bodily injury	Lewis Lerman Genovese, D'Attelo & Lerman 195 Scott Swamp Road Farmington CT 06034-3750 860/677-3760 860/677-3750 fax	Discovery ongoing. Will file summary judgement re: BCI if pltf atty does not remove voluntarily	
BC Heartland, LLC	Vine, Sandra & Arthur v. BC Heartland LLC dba Boston Market	Circuit Court of MI County of Ingham	98-88081-NO	3/24/98	Slip and fall, bodily injury, loss of consortium	Harvey Kruse Harvey Kruse, Westen & Milan 1050 Wilshire Dr, Suite 320 Troy, MI 48084 248/649-7800 248/649-2316 fax	Notice of Stay filed 10/19/98 Change in D/C due to Wausau not being affiliated w/ Nationwide any longer Discovery ongoing	
R&A Food Services, Inc.	Walzak, Alberta v. Albertson's Inc.; American Legion, Amsouth Bank & R&A Food Services, Inc				Trip and fall, bodily injury	Craig Bram Jack, Wyatt, Tolbert & Thompson 2600 Maitland Center Pkwy, Ste 170 Maitland FL 32751	Settled, mediation 9/30/99. S of B filed 10/12/98 – not allowed as R&A Inc owner. Motion to Dismiss Albertson's filed – denied	FFIC – Martha Holmes
Mid-Atlantic Restaurant Systems	Wave, Mara v. Boston Chicken, Inc.; XYZ Corp.; John Doe 1-10; Jane Doe 1-10	Superior Court of NJ Atlantic City	BUR-L-01586-97	6/5/97	Bodily injury	Donald Powell Powell, Birchmier and Powell 1891 State Hwy 50 Tuckahoe NJ 08250 609/628-3414 609/628-2966 fax	Stay lifted 4/14/99 Copy of filing sent to the court. Trial de novo requested by D/C 9/15/98	

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
BC Superior	Whatley, Jeremy & Rachel v. BC Superior LLC d/b/a Boston Market	Circuit Court at Chattanooga Hamilton County TN	97CV2052	9/23/97	Alleged food borne illness	Doug Dooley Leitner, Williams, Dooley & Napolitan 330 Pioneer Bldg Chatanooga TN 37402-2621	Settled 8/7/98 for \$8500. Release papers to be forwarded.	
BC New York, LLC	White, Carol v. Boston Market Restaurant	Supreme Court of New York Bronx County	7324-99	2/3/99	Negligence causing bodily injury – slip and fall	Steve Goldstein Feder, Goldstein, Tanenbaum, D'Errico & Arnidos 222 Old Country Rd Mineola NY 11501 516/873-0011 516/873-0120/0201 fax	Suit recd 3/30/99, store served 2/23/99	Wausau – Jennifer Sweet
R&A Food Services, L.P. Boston Chicken, Inc.	Williams, Lan & Winston v. Boston Chicken, Inc.	Circuit Court of the 13th Judicial Circuit Hillsborough County, FL	39-0221	1/25/99	Negligence Bodily Injury Loss of Consortium	James Hickman James, Hoyer, Newcomer, Forizs & Smiljanich 4830 W. Kennedy Blvd, Ste 147 Tampa FL 33609 813/286-4100 813/286-4174 fax	Sugg of bankr filed 2/18/99, approved 2/23/99 Suit recd 2/2/99	CNA-Twila Walburn
R&A Foods	Willing, Lillian v. R&A Food Service d/b/a Boston Market	County Court in and for Volusia County, FL	98-30732-COCI	3/25/98	Alleged food borne illness Breach of implied warranty	Craig Brams Jack, Wyatt, Tolbert & Thompson 2600 Maitland Center Pkwy, Ste 170 Maitland FL 32751 407/660-1818 407/660-2442 fax	Settled for \$250. Release papers signed 10/2/98	
BC Great Lakes	Wolski, Richard and Brenda v. BC Great lakes of Delaware, LLC	State of MI 16 th Judicial Dist.	97-5773	11/24/97	Alleged food borne illness	Ray Beresh Beresh, Prokopp & Sekerak One Towne Square, Number 470 Southfield MI 48076 248/223-0120 248/945-0014 fax	Change in D/C due to Wausau not being affiliated w/ Wausau any longer Notice to Stay filed 10/19/98. Order for Admin closing due to Bankruptcy recd 10/28/98 Plan to file Motion for Summary Disposition 11/98.	
Mayfair Partners	Wright, Leila F. v. Boston Market Restaurant a/k/a/ Boston Chicken, Inc.	Spotsylvania Circuit Court-Judicial Cennter	177CL9800050 5-00	11/12/98	Negligence, bodilty injury – slip and fall	Ralph Boccarosse, Jr Siciliano, Dyer & Boccarosse 10521 Judicial Dr., Suite	D/C will file Motion to Stay Recd suit 11/30/98	Wausau

SCHEDULE 4.10

LITIGATION

PART A: LITIGATION AND CLAIMS COVERED BY INSURANCE

ENTITY	CAPTION	WHERE FILED	CIVIL ACTION NO.	DATE FILED	TYPE OF LITIGATION	BCI COUNSEL	STATUS	INSURANCE CARRIER
						300 Fairfax VA 22030 703/385-6692 703/273-5632 fax		
BC GoldenGate	Zimores, Pete v. BC GoldenGate LLC d/b/a Boston Market, Does 1-100	Superior Court of CA County of San Joaquin	CV003276	9/4/97	Bodily injury, mental anguish	Paul LeVeque Winningham, Roberts, Fama, Kramer, & Ramberg 60 Spear St, Suite 800 San Francisco CA 94105 415/495-3655	Change in D/C due to Wausau not being affiliated w/ Wausau any longer Notified A/A of Ch 11 10/19/98. Will file Sugg of Bankr shortly. Discovery ongoing	
Boston Chicken, Inc. BC New York, LLC	Ziro, Robert & Patricia v. Boston Market Restaurant Store No. 798; and Boston Chicken, Inc.; John Does, Inc, and Richard Roe	Superior Court of New Jersey, Middlesex County	MID-L-9148-98	9/17/98	Bodily injury	Glenn Montgomery Pollack, Montgomery & Chapin 2460 Lamington Rd Bedminster NJ 07921 908/234-0330 908/234-0709 fax	Court notified of Ch 11, stay requested. Recd suit 11/4/98 (served on store employee 9/30/98)	
Mid-Atlantic Restaurant Systems, Inc.	Zydinsky, Theresa & Joseph v. Boston Chicken, Inc., Mid-Atlantic Restaurant Systems, Inc., Mid-Atlantic Restaurant Systems, LP, BC Superior LLC	Court of Common Pleas Philadelphia County Superior Court New Castle County, DE Federal Court, Philadelphia	001840	7/17/98	Slip and fall, bodily injury, loss of consortium	Gerry Smith Naulty, Scaramazza & McDevitt 1617 JFK Blvd Philadelphia PA 19103 215/568-5116 215/568-2077 fax	Stay lifted 5/13/99 Action in Federal Court dismissed Suggestion of Bankruptcy filed w. court 10/20/98. Discovery ongoing. Stip to pltf atty to named correct defendant	FFIC – JoAnn Johnson